

UNIVERSITY OF MISSOURI-KANSAS CITY



COLLEGE OF ARTS AND SCIENCES
DEPARTMENT OF ENGLISH

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15 December, 1974

Mr. Bernard Fensterwald, Jr.
Fensterwald and Ohlhausen
910 Sixteenth Street NW
Washington, D.C. 20006

Dear Mr. Fensterwald:

Mr. Harold Weisberg has advised me that you have asked for an outline of my proposed Playboy interview with James Earl Ray--an event which fans my hope that, contrary to your letter of November 4, such an interview might soon be conducted.

However, I also understand that you have written to Mr Ray telling him not to talk with me pending the outcome of his legal petitions. Whether true or not, such advice is understandable as my letter of November 22 affirms, though I trust it sprang from a general concern and not from any specific animosity toward me and my project. You should know that I have from the beginning stressed that I would do nothing to endanger Mr. Ray, that I strongly believe a humane interview will help his cause, and that my interview would be subject to your review.

In any event, I have attached a proposed line of questioning for the interview. Since I am now much more interested in Ray's side of the case, the outline reveals that hope, while not springing eternally, does rise in correspondence with Mr. Ray's chances for a fair judicial process. I know others find the State's case persuasive and evidently would just as lief have Ray locked up forever, whatever the facts (for example, in my opinion things like Ron Rosenbaum's Village Voice piece on the "intermediary" casts doubts on the credibility of Ray's petition and so could do with a bit of media redress, but then. . .) I would not, obviously.

In honesty, I must also add that Mr. Weisberg has told me that you suspect him of "selling" this interview. That is not true. I did offer to pay the expenses in Nashville for Mr. Weisberg and Mr. Lesar when they accompanied me to do the interview, and that out of my own fee. Since their expenses and yours have been heavy during the period of the hearing, that seemed fair. But no other offer has been made, I assure you.

Finally, may I emphasize that I have no intention in meddling further than this plea for the interview in any of Ray's affairs. And I make the plea only because I believe in it. I know there are other stories, even other angles to this one (and frankly, my editors are pushing for that if the interview fails), but I remain convinced that an interview best serves both Mr. Ray and Playboy. And so I look forward to your reply.

With best wishes for the holiday season and for a favorable ruling from Judge McRae, I remain in hopeful waiting.

Sincerely,

A handwritten signature in dark ink, appearing to read "James Earl Ray".

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BRIEF OUTLINE OF PROPOSED INTERVIEW WITH JAMES EARL RAY .

- NOTES: (1) The broad outline of question-areas is just that; given the nature of interviews it is impossible to put down precisely what questions might be asked or what responses made.
- (2) Counsel for Mr. Ray (Messrs. Fensterwald, Lesar and Weisberg) may review the typescript of the interview and edit it in accordance with their estimates of its impact on Mr. Ray's legal situation.
- (3) Any or all of Mr. Ray's counsel may attend the interview sessions (and are asked to do so) to ensure that Mr. Ray's interests are held foremost.
- (4) The tapes of the interview remain the property of James McKinley, but copies will be provided to Mr. Ray and his lawyers on request.
- (5) The contents of this interview will remain the exclusive property of James McKinley for purposes of publication in Playboy magazine, and no other interview, printed or broadcast, will be released prior to the publication of this interview.

LINE'S OF THE INTERVIEW

I. RAY'S PREVIOUS INCARCERATIONS, INCLUDING MISSOURI

- A. Early Reactions: What does JER think the 1950's judicial system did to men? To him? What chances were there then of "rehabilitation"? What attitudes toward society were produced by this system and by its resultant "prison society"?
- B. Early Attitudes Toward the Law: What legal advice did JER have after his early arrests? What attitudes toward the judicial process were engendered in his case? What in the case of others?
- C. Resultant Actions: Are fantasies of escape and flight the result of these above-enumerated factors? What causes the desire to escape? When does one feel it is a last act? Was JER influenced by anyone who had escaped prison? Are the Huie stories of his Missouri escape attempts accurate? Why/why not?

II. RAY'S POST-MLK INCARCERATION

- A. Conditions Prior to Guilty Plea: [Beyond or in other words from trial or hearing testimony].

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1. In England: Conditions of JER's arrest, treatment, and of the initial allegations against him--their tone, manner, weight.
 2. In Tennessee: Conditions of JER's return, his treatment by Shelby County authorities, his initial relations with Huie and Hanes as a function of that treatment, and what if any "jail fear" may have resulted (why? so what?).
 3. Situation of JER and family: At time of his return, did the situation of his family influence JER? How? What later reaction did JER have to John's arrest for bank robbery?
- B. Conditions After Guilty Plea [Including reactions to "special handling"].
1. Threats: Did JER suffer threats on his life after his arrest for the King killing? Were these the first in his career? What effect did his mini-trial (and Huie-Hanes-Stoner) have on JER's decision to try again to escape?
 2. Solitary Confinement: What attitudes has solitary perhaps produced or hardened? What is the prison "code" regarding solitary for a prisoner like JER? As a result of his jail treatment, does JER see himself differently now compared to before King's death? In what ways? How much of that change, if any, has been prison-produced? What has solitary done to him long-term, does JER think?

III. LATEST ATTEMPT TO WIN JUSTICE FOR JER

A. History Culminating in Memphis Hearing (to date):

1. JER's Views: How from JER's view did the successful Fensterwald-Lesar-Weisberg handling get started for him? What were JER's initial reactions relative to his previous experience with lawyers? How does he now feel about his chances for a new trial? [Assuming by publication a new trial has been granted, how does he feel about that?] How does JER assess the current effective representation versus the Hanes-Huie-Stoner axis?
2. Background: Does it matter (and if so, how much) to JER that if acquitted of King charges he may still face Missouri charges? How does this attitude reflect his feelings about parole and "justification," relatively?
3. Miscellaneous: What are JER's reactions to the vast exertions on his behalf by current counsel, including the skillful handling of the Memphis evidentiary hearing? Would his previous lawyers find it ironic that he is now represented by civil libertarians? What is

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his reaction from the "defendant's" view of Livingston's "intermediary" story and its effect on his case's credibility? What would be JER's advice to other people charged of crimes in their choice of lawyers and their knowledge and use of judicial procedures? How would he like to see the judicial and prison systems reformed?

IV. RAY'S PERSONAL REACTIONS

A. To Written Reports of King Case.

1. Books: How does JER feel now about Huie's book, especially its overall conclusion that his "weak ego" led to him killing King? How does he feel about the various merits of different written theories of the slaying, e.g. the "rich white racist" theory, the "CIA" theory, the "Black Panther" theory, the "SCLC dissension" theory? Does JER think Frank's book has been harmful or helpful? How and why? Do any of these written reports affect his thinking about either his defense or about the broadscale implications of his case? If so, how?
2. Other Media: How does JER feel about media coverage of his case? Why? Who? What can be done about it?

B. His Own Account of Activities Around King's Death. [Consistent with Memphis Testimony].

1. Travels: What are his reasons (vis' a vis Huie, Frank, et al) for leaving L.A., coming to New Orleans, buying a rifle, etc.? Could he estimate as a per-cent how much of what he told Huie about Canada, Mexico, and Birmingham is accurate now in longer recollection? What weight does he give to the fact that he, had he wanted to, could have followed King to Selma easier than to Memphis? What is JER'S reaction to Weisberg's reported telephone contact with a "Raoul"?
2. Memphis: Why was he in Memphis? Where stay? Did he meet anyone? What does he now think of the Raoul "cover"? JER'S location when shot was fired? Does he know of more than one Mustang? Will there be new evidence of his innocence at his new trial? What is his reaction to the ballistic evidence? Did JER see the bundle dropped at Caripe's? Does he think he has a big-enough ego, a'la Huie, to leave all that evidence around? Why did JER go to Atlanta? When (assuming if) did he realize he had been set-up?
3. Subsequent Adventures: How closely did JER follow his supposed activities in the media? Did their stories influence him, and how? What is his reaction now to Huie's "fat man" tale of the envelope?

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Did he make Rhodesian inquiries? Did he contact his Canadian female friend again? Is the FBI account of his flight accurate for purposes of the State's prosecution? Did he ever think during this flight that first, he was a dupe, and/or second, that he was (following Ramsey Clark's declarations) [REDACTED] not only in big trouble but that he was there alone?

4. Miscellaneous: If JER had not been caught in London what would he have done? If he decided to lie low for awhile, would he have sometime tried to clear himself? When captured, what was his feeling? What did JER think the public and private reaction would be, especially after the riots, the Clarkisms, the contradictory FBI stories? What effect has the case had on his family? Could or should something be done about it?

V. RAY'S FUTURE

A. Speculations

1. Does he think it possible that when/if a new trial is granted and if he is acquitted that he can eventually be paroled? What would he like to do then? Would he feel safe in society, i.e. from that society?
2. If the whole truth of the King killing comes out, what does he think the public reaction will be--in terms of the judicial process, of the Kennedy killings, of the social mood of the country as he now perceives it?
3. What would be his broadest interpretation of the significance of King's death?